

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 21, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KRYSTAL J.,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,¹

Defendant.

No. 4:20-CV-5226-JAG

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 26. Attorney Chad L. Hatfield represents Plaintiff; Special Assistant United States Attorney Shata Ling Stucky represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 26**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

¹Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew M. Saul as the defendant in this suit. No further action need be taken to continue this suit. *See* 42 U.S.C. § 405(g).

ORDER GRANTING STIPULATED MOTION FOR REMAND - 1

1 On remand, the Appeals Council shall remand the matter to an
2 Administrative Law Judge to perform the following: (1) give Plaintiff an
3 opportunity for a hearing; (2) consider the third party statements; and (3) issue a
4 new decision.

5 2. **Judgment shall be entered for PLAINTIFF.**

6 3. Plaintiff's Motion for Summary Judgment, **ECF No. 21**, is
7 **STRICKEN AS MOOT.**

8 4. An application for attorney fees and costs may be filed by separate
9 motion.

10 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
11 Order, forward copies to counsel, and **CLOSE THE FILE.**

12 DATED March 21, 2022.




JAMES A. GOEKE
UNITED STATES MAGISTRATE JUDGE